

Morgan Lewis

Ashley Hale
Partner
212.309.6878
ashley.hale@morganlewis.com

January 17, 2024

MEMO ENDORSED

Hon. Katherine Polk Failla
United States District Court, Southern District of New York
40 Foley Square, New York, NY 10007

Re: Steven Milazzo. v. Bank of New York Mellon Corporation, No. 1:23-cv-05437-KPF

Dear Judge Failla:

We represent Defendant Bank of New York Mellon Corporation (“BNY Mellon”) in the above-referenced matter. We write jointly with counsel for Plaintiff Steven Milazzo (“Plaintiff”) pursuant to Rule 2.C of Your Honor’s Individual Rules of Practice in Civil Cases to respectfully request an extension of time for the parties to file any (1) agreement reached between the parties concerning ESI, (2) confidentiality agreement, and (3) agreement concerning protocols for asserting claims of privilege or of protection as provided in this Court’s Civil Case Management Plan and Scheduling Order (ECF 25). The parties’ current deadline to file any such agreements is January 17, 2024, and the parties respectfully request that this deadline be extended by seven days until January 24, 2024.

The purpose of this requested extension is to provide counsel with sufficient time finalize these agreements, which the parties are actively negotiating, and confirm the specific parameters to govern ESI productions. Due to in part to competing schedules and the holiday season, as well as the review of technical specifications, this finalization has been delayed. This is the parties’ first request for an extension of these deadlines.

Thank you for your consideration of this matter.

Respectfully submitted,

/s/ Ashley Hale

Ashley Hale

c: All counsel of record (via ECF)

Application GRANTED. The deadline to file any such agreements is hereby ADJOURNED *nunc pro tunc* to **January 24, 2024**.

The Clerk of the Court is directed to terminate the pending motion at docket number 26.

SO ORDERED.

Dated: January 18, 2024
New York, New York

Katherine Polk Failla

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE